

15 55 36

Sec. Twp. Range

**ZONING HEARING APPLICATION
MIAMI-DADE COUNTY
DEPARTMENT OF PLANNING & ZONING**

205-37
FEB 9 - 2005
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

LIST ALL FOLIO #S: 30 5815 0000 110

Date Received

1. **NAME OF APPLICANT** (Provide complete name of applicant, exactly as recorded on deed, if applicable. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

Emilio Garcell

2. **APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:**

Mailing Address: 13525 NW 5 CT.

City: PLANTATION State: FL Zip: 33325 Phone#: 954 838-7538

3. **OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:**

Owner's Name (Provide name of ALL owners): Emilio Garcell & W Caridad

Mailing Address: 13525 NW 5 CT.

City: PLANTATION State: FL Zip: 33325 Phone#: 954 838-7538

4. **CONTACT PERSON'S INFORMATION:**

Name: Freddy Saballos

Company: _____

Mailing Address: 6301 SW 151 CT.

City: Miami State: FL Zip: 33193

Phone#: 786-543-2622 Fax#: 305-388-4177 E-mail: fresab@clearsurf.com

5. **LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION**

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, range. If the application contains multiple rezoning requests, then a legal description for each sub-area must be provided. Attach separate sheets, as needed).

the north 1/2 of the northeast 1/4 of the SW 1/4
NE 1/4 of Section 15, Twp. 55, Rge. 38, according to the re-
cords of Miami-Dade County, Florida. and the south 1/2 of the
southwest 1/4 of the northwest 1/4 of the northeast 1/4 of said
Section 15, Township 55 South, Range 38 East all lying & being
in Miami-Dade County, Florida. reserving however for public
road purposes the East 25 feet, comprising 2 1/2 acres,
more or less. containing 314,224 s.f. or 7.21 acres more
or less (by calculation).

6. ADDRESS OR LOCATION OF PROPERTY (For location, use description such as NE corner of, etc.)

12350 SW 199 Ave. and
12400 SW 199 Avenue, Miami, Florida.

7. SIZE OF PROPERTY (in acres): 7.21 (divide total sq. ft. by 43,560 to obtain acreage)

8. DATE property ☒ acquired ☐ leased: June 1983 9. Lease term: _____ years
(month & year)

10. IF CONTIGUOUS PROPERTY IS OWNED BY THE SUBJECT PROPERTY OWNER(S), provide complete legal description of said contiguous property.

26 X
THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 15, TOWNSHIP 55 SOUTH, RANGE 38 EAST, ALL LYING AND BEING IN MIAMI DADE COUNTY, FLORIDA, RESERVING HOWEVER FOR PUBLIC ROAD PURPOSES THE EAST 25 FEET, COMPRISING 2 1/2 ACRES, MORE OR LESS CONTAINING 314,224 SF. OR 7.21 ACRES MORE OR LESS (BY CALCULATION)

11. Is there an option to purchase ☐ or lease ☐ the subject property or property contiguous thereto?
☒ no ☐ yes (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

12. PRESENT ZONING CLASSIFICATION: ~~AGU~~. G0

13. APPLICATION REQUESTS (Check all that apply and describe nature of the request in space provided)
(DBC's require special exception to permit site plan approval unless rezoning 3 acres or less to residential categories)

- ☐ District Boundary Changes (DBC) [Zone class requested]: _____
☐ Unusual Use: single family residence
☐ Use Variance: to allow a G.F.R. in 7.21 acres where 40 acres req.
☒ Alternative Site Development: _____
☐ Special Exception: _____
☐ Modification of previous resolution/plan: _____
☐ Modification of Declaration or Covenant: _____

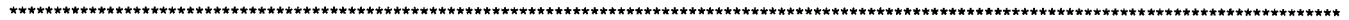
14. Has a public hearing been held on this property within the last year & a half? ☒ no ☐ yes.
If yes, provide applicant's name, and date, purpose and results of hearing, and resolution number:

15. Is this hearing is as a result of a violation notice? ☒ no ☐ yes. If yes, give name to whom the violation notice was served: _____ and describe the violation: _____

16. Describe structures on the property: concrete block structure, 2 story

17. Is there any existing use on the property? ☐ no ☒ yes. If yes, what use and when established?
Use: AGU. Year: _____

OWNER OR TENANT AFFIDAVIT



Signature _____
Notary Public: _____
Commission Expires: _____

OWNERSHIP AFFIDAVIT
FOR
INDIVIDUAL

STATE OF _____

Public Hearing No. _____

COUNTY OF _____

Before me, the undersigned authority, personally appeared Emilio Garcia,
hereinafter the Affiant, who being duly sworn by me, on oath, deposes and says:

1. Affiant is the fee owner of the property which is the subject of the proposed hearing.

2. The subject property is legally described as: the north 1/2 of the northeast 1/4 of the SW 1/4 of Section 15, Twp. 55, Rge. 26 according to the records of Miami Dade County, Florida and the south 1/2 of the southwest 1/4 of the northwest 1/4 of the northeast 1/4 of said Section 15, Township 55 South, Rge. 26 East in W-1 and being in Miami Dade County, Florida. Reserving however for public road purposes the East 25 feet comprising 2 1/2 acres more or less containing 34.224 S.F. or possibility of voiding of any zoning granted at public hearing. 7.21 acres more or less (by calculation)

Witnesses:

Signature

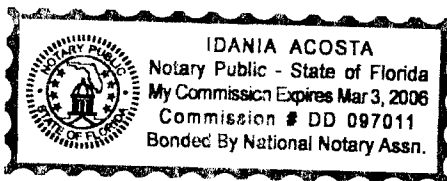
Print Name

Signature

Print Name

Emilio H Garcia
Affiant's signature
Emilio H GARCIA
Print Name

Sworn to and subscribed before me on the 20th day of September, 1992 2024
Affiant is personally known to me or has produced _____ as
identification.



Idania Acosta
Notary
(Stamp/Seal)

Commission Expires: 3/3/26

Date: ____/____/____ Public Hearing No: _____

RESPONSIBILITIES OF THE APPLICANT

PLEASE READ CAREFULLY BEFORE SIGNING.

I hereby acknowledge that I am aware that the Department of Environmental Resources Management (DERM), the Public Works Department, and other County agencies review each zoning application and proffer comments that may affect its scheduling and outcome. These comments sometimes include requirements for an additional public hearing before DERM's Environmental Quality Control Board, (the EQCB) or other County boards, and/or the preparation and execution of agreements to run with the land which are recorded, prior to scheduling.

I understand that it is my responsibility as the applicant or applicant's representative to promptly follow through with the Compliance of DERM or Public Works requirements or to advise this office in writing if the application will not go forward and may be considered withdrawn. Contact with the above mentioned agencies is advised during the hearing process. You may obtain the telephone numbers and locations of the reviewing departments at the Zoning hearings Counter.

Fees: Further I understand that the hearing fees paid at the time of filing may not be the total cost of the hearing, that I will be advised of the following fees which must be paid promptly: additional radius fee, deferral or readvertising fee (if applicant requests deferral), revision fee, and/or other fees assessed for changes or additions to the hearing application or plans. I am aware that applications withdrawn within 60 days of the date of filing are eligible for refund of 50% of the hearing fee. After that time, hearings that are withdrawn or returned for inaction will *not* be eligible for a refund.

Permit Requirements: I also understand that the South Florida Building Code may contain requirements that affect my ability to obtain a required building permit from the Department of Planning, Development and Regulations (10th Floor) for my project, even if my zoning application is approved at public hearing. I am aware that a Building Permit is required for all construction and that I am responsible for obtaining the required permits, all required inspections, and the Certificate of Use and Occupancy or Certificate of Completion for any and all structures and additions whether proposed or existing without permits. Additionally, I am aware that a Certificate of use and Occupancy must be obtained for the use of the property, if approved at a Zoning Hearing, and that failure to obtain the required permits and/or Certificates of Completion or Use and Occupancy will result in the initiation of Enforcement action against the occupant and owner. I further understand that submittal of the Zoning Hearing application will not necessarily forestall enforcement action against the property.

Residential construction within 2 miles of a Blasting Site: Persons applying for a residence or residential development located within two miles of a permitted rock mining operation where blasting is permitted must record in the public records of Dade County a notice that the proposed development is within two miles of the blasting site, prior to the issuance of the first development permit. The notice must provide the location of the blasting site and state that such blasting is regulated by Chapter 13 of the Code of Metropolitan Dade County. Notice must be given to and signed by buyers with purchase contracts within the development. Maps showing permitted rock mining operations where blasting is permitted in Dade County are available in the Department of Planning, Development and Regulation (DPDR) and in the Public Works Department. Any developer may request a written opinion from the Director of Public Works as to whether a development is located within the two-mile area.

Emilio H Garrell

(Signature)

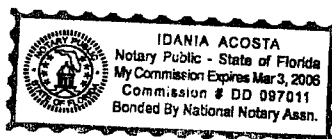
Emilio H GARRELL

(Print Name)

Notary: Sworn to and subscribed before me this
20 day of September, 2004

Idania Acosta
Notary Public - State of Florida

My commission expires 3/3/06



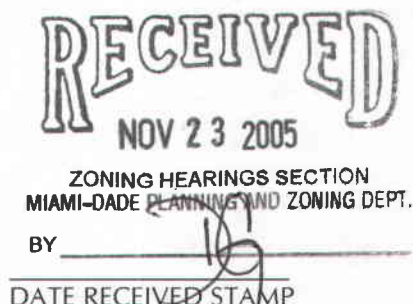
PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY DS AMOUNT OF FEE \$

RECEIPT #

DATE HEARD: 11/15/05

BY CZAB # 14



This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. Z05-037 (05-7-CZ14-7)

Filed in the name of (Applicant) Caridad & Emilio Garcell

Name of Appellant, if other than applicant Director, Dept. of Planning & Zoning

Address/Location of APPELLANT'S property: 111 NW 1st St., 11th floor, Miami, Fla. 33128

Application, or part of Application being Appealed (Explanation) Entire application

Appellant (name): Director, Dept. of Planning & Zoning
hereby respectfully appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language).

The Community Zoning Appeals Board-14's decision is inconsistent with the Miami Dade County Comprehensive Development Master Plan

APPELLANT MUST SIGN THIS PAGE

Date: 23rd day of November, year: 2005

Signed Diane O'Quinn Williams

Diane O'Quinn Williams

Print Name

111 NW 1st. St. 11th Floor, Miami, FL 33128

Mailing Address

(305) 375-2840

Phone

(305) 375-2795

Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate:

Representing

Signature

Print Name

Address

City

State

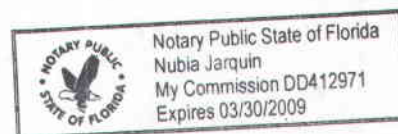
Zip

Telephone Number

Subscribed and Sworn to before me on the 23rd day of November, year 2005

Nubia Jarquin
Notary Public

(stamp/seal)



Commission expires:

Date: ____ / ____ / ____

Public Hearing No: _____

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Emilio H Garrell

(Signature)

Emilio H GARRELL

(Print Name)

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